

REMARKS

Application Serial No. 10/068,124 was originally filed on February 5, 2002 with 41 claims. In this response claims 1-33 have been cancelled without prejudice or disclaimer and subject to Applicants' rights to file the same in one or more divisional applications and new claims 42-73 added.

RESTRICTION REQUIREMENT

Examiner Edmund Choi has required restriction under 35 U.S.C. §121 to one of the following inventions:

- I. Claims 1-33 drawn to a composition.
- II. Claims 34-41 drawn to a process and product by process.

During a telephone conversation with Examiner Choi on February 4, 2004, Mr. James E. Oehlenschlager provisionally elected to prosecute the claims of Group II (claims 34-41) directed to a process and product by process, with oral preservation of the right to traverse the restriction requirement.

It is to be noted that the content of this response is to the restriction requirement given in a telephonic interview with Examiner Edmund Choi on February 4, 2004 and not to the restriction requirement mailed by Examiner Robert Harlan March 22, 2004. During a telephonic interview with Examiners Harlan and Choi on April 2, 2004 it was determined that the restriction requirement sent by Examiner Harlan was in error and that the correct restriction requirement was the restriction requirement given orally by Examiner Choi and that the written response to Examiner Harlan's restriction requirement should respond to Examiner Choi's restriction requirement. Therefore, this response references the restriction requirement mailed on March 22, 2004 but responds to the oral restriction requirement given on February 4, 2004 by Examiner Choi.

Applicants hereby affirm the provisional election to prosecute the invention of Group II, claims 34-41 in the present application, and traverse the restriction requirement between

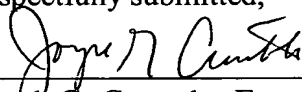
Groups I and II. Applicants have added claims 42-73, which depend ultimately from elected claim 40 (product by process), and are directed to the subject matter of the withdrawn dependent claims that further define the product composition.

Applicants hereby submit that the election of Group II (claims 34-41) is not believed to affect the inventorship of the present invention and, therefore, no amendment of inventorship is believed necessary under 37 C.F.R. §1.48(b).

Under 37 CFR §1.16(c) Applicants have previously paid for a total of 71 claims. The amendments in the present response bring the total number of claims in the application to 40. Therefore, there is no extra fee due with this response under 37 CFR §1.16(c).

In view of the amendments contained above, Applicants respectfully request reconsideration of the application, and request that a Formal Notice of Allowance be issued for claims 34-73. Should the Examiner have any questions about the above remarks and amendments, Applicant's undersigned attorney would welcome a telephone call.

Respectfully submitted,



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Date